

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: BPS DIRECT, LLC, AND  
CABELA’S, LLC, WIRETAPPING

MDL NO 3074

ED Pa. Action Nos.  
2:23-md-3074  
2:23-cv-02306

This Action Relates to:

TIMOTHY DURHAM, individually and on  
behalf of all others similarly situated,

Plaintiff,

v.

CABELA’S LLC

Defendant.

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**ENTRY OF APPEARANCE (PRO HAC VICE) OF FRANCIS J. “CASEY” FLYNN, JR.**

Kindly enter my appearance as counsel for Plaintiff Timothy Durham in the above-captioned matter and add my name to the ECF service list for the individual case, No. 2:23-cv-2306, as well as the master case file for MDL 3074, No. 2:23-md-03074.

Pursuant to the Court’s Orders dated June 20, 2023 and the Court’s Order dated July 5, 2023 in the individual case captioned: *DURHAM, ET AL. v. CABELA’S, LLC.*, Case No. 2:23-cv-01630-GW-KES (CACD) (the “*Durham* Action”), I first appeared on behalf of Plaintiff Durham, individually and on behalf of the respective Class, in the *Durham* Action on March 5, 2023, (ECF No. 1), which was prior to transfer.

Upon transfer to the instant Court, the *Durham* Action was assigned Case No. 2:23-cv-2306.

I had not received notice of the Court’s June 20, 2023 Orders or July 5, 2023 Order and

was not aware of them until late in the evening on July 5, 2023 because an attorney notified me of the July 5, 2023 order when the attorney saw my name on the list of counsel who had not yet entered their respective appearances. It appears that electronic notice did not go to me and I did not receive the mail notice as of July 5<sup>th</sup>.

Plaintiff's Counsel has now obtained the requisite e-filing credentials on July 6, 2023.

I hereby acknowledge and agree to my continuing obligations under Section I.J. of the Court's Policies and Procedures, and I further agree to be bound by the Pennsylvania Rules of Professional Conduct and Local Rules of this Court for the duration of the case and all proceedings therein.

Payment of the Clerk of Court's filing fees for special admission to this Court shall be contemporaneously paid.

Date: July 6, 2023

Respectfully,

/s/ Francis J. "Casey" Flynn, Jr.

Francis J. "Casey" Flynn, Jr.

LAW OFFICE OF FRANCIS J. "CASEY"

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*Attorneys for Plaintiff and the putative Class*

**CERTIFICATE OF SERVICE**

I hereby certify that, on July 6, 2023, I electronically filed the foregoing via the Court's ECF/CM system which will send notification of such filing to all attorneys of record.

By: \_\_\_\_\_/s/ Francis J. "Casey" Flynn, Jr.